

REMARKS

Status of the Claims

Claims 1-4 are pending in this application.

Claims 1-4 are rejected.

Claims 5-19 are new. Support for these added claims can be found throughout the specification, claims, and drawings, as originally filed.

Objection to the Drawings

The Office Action objected to the drawings asserting that they failed to comply with 37 CFR 1.121(d) because multiple figures were presented on the same page, and dimensions were on the figures which made the figures difficult to understand. Applicants have reviewed the drawings and respectfully submit corrected drawings for Figs. 1-3 which are now on separate pages and do not include the dimensions. Support for the drawing amendments Figs. 1 and 3 can be found in Paragraphs [0007], [0008], and [0012]. Since the paragraphs describe the present invention along with the double sided adhesive tape and Velcro strips. Support for the drawing amendment for Fig. 2 can be found in Paragraph [0009] and [0010] because the paragraphs describe the present invention and the use of the extension tab. Applicants respectfully request that the objection to the drawings be removed.

Rejection of Claims 1 - 4 Under 35 USC § 102(b)

Claims 1-4 stand rejected under 35 USC § 102(b) as being clearly anticipated by U.S. Patent No. 2,777,133 to Philips. In order to move this case to issue, and without admitting or denying that claims 1-4 are patentable over Philips, the Applicant has elected to cancel claims 1-4. Therefore, the rejection of claims 1-4 under 35 USC § 102(b) has been overcome by the cancellation of claims 1-4.

The Applicant respectfully asserts that newly added claims 5-19 are allowable and not anticipated by Philips. Philips discloses "a plurality of pocket parts attached to said back of the lower half of said back ..." Philips Col. 2-3, lines 71, 1-2. Thus, Philips discloses a means for a finite number of adjustments. By contrast, the present invention discloses an adhesive strip, preferably Velcro, which is used to adjust the height of the handkerchief holder. The present invention allows for an infinite number of adjustments. Therefore, Philips does not disclose each and every element of the present invention and the Applicant respectfully asserts that the present invention is patentable over Philips.

Furthermore, the Applicant respectfully submits that Philips does not render newly added claims 5-19 obvious. The standard for obviousness is that there must be some suggestion, either in the reference or in the relevant art, of how to modify what is disclosed to arrive at the claimed invention. In addition, "[s]omething in the prior art as a whole must suggest the desirability, and thus, the obviousness, of making" the modification to the art suggested by the Examiner. *Uniroyal, Inc. v. Rudkin-Wiley Corp.*, 837 F.2d 1044, 1051, 5 U.S.P.Q.2d (BNA) 1434, 1438 (Fed. Cir. 1988). Philips discloses a finite number of "pocket parts," which then receive the adjusting member. Philips does not teach or suggest one having ordinary skill in the art to include an

extension tab that is attached to the handkerchief holder which provides an infinite number of customizable adjustments. In other words, Phillips does not teach or suggest adhering the extension tab to the handkerchief holder by Velcro, double sided adhesive tape, or any other material. Philips also does not teach or suggest the use of a material placed on the front portion of the handkerchief holder so that the front can be attached to the pocket in order to provide additional stability.

Moreover, Philips discloses an adjusting member that extends into one of the pocket parts, but not through the pocket parts. Phillips does not teach or suggest one having ordinary skill in the art to include an extension tab where one end is capable of extending entirely through the slits while the opposite end is a larger size and cannot extend through the slits, in order to provide additional support for the extension tab. In addition, Phillips does not teach or suggest one having ordinary skill in the art to angle the top of the handkerchief holder at a similar angle as most suit coat front pockets. Therefore, the Applicant respectfully maintains that Philips does not render the present invention obvious.

CONCLUSION


It is respectfully submitted that in view of the above amendments and remarks the claims 5-19, as presented, are patentably distinguished because the cited patent does not anticipate or render the present invention obvious. The Applicant respectfully submits that the instant response places the application in condition for allowance. Therefore, Applicant submits that the pending claims are properly allowable, which allowance is respectfully requested.

The Examiner is invited to telephone the Applicant's undersigned attorney at
(248) 364-4300 if any unresolved matters remain.

Respectfully submitted,

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AMENDMENTS TO THE DRAWINGS

The attached sheets of drawings includes changes to Figs. 1-3. These sheets, which includes Figs. 1-3, replace the original sheets including Figs. 1, 1A, 1B, 2, 3, and 3A.

Attachment: Replacement Sheets